IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 1454 of 2007
Date of Decision: 25.04.2007

Ashok Kumar

.....Petitioner through
Mr. Mohan Jain,
Advocate

versus

Food Corporation of India and others

.....Respondents through
Mr. A.R.Takkar and
Mr. B.R.Mahajan,
Advocates

CORAM: HON'BLE MR. JUSTICE VIJENDER JAIN,
CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIVE BHALLA

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

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Vijender Jain, Chief Justice (Oral)

Pursuant to our directions dated 20.04.2007, Ashok Kumar, petitioner, Gurbachan Singh, authorised member of the truck union of respondent No.4 and officers of Food Corporation of India, namely, Mr. D.K.Gautam, D.G.M.(R), Mr. Dev Raj, D.G.M.(Contract), Mr. B.B.Gupta, D.G.M.(Finance) and Mr. Sanjay Sharma, A.G.M.(Legal) are present.

At the request of counsel for the parties and with the concurrence of Ashok Kumar, proprietor, Gurbachan Singh, authorised member of the truck union of respondent No.4 and officers of the Food Corporation of India, we have ordered for rebidding.

Tender in dispute was awarded @ 388 % Above Schedule of Rates (for short 'ASOR'). Rebidding was held in Court. First option was given to the petitioner. The petitioner gave gave first bid @ 380 % ASOR. Gurbachan Singh, authorised member of the truck Union-respondent No.4 gave bid @ 375% ASOR. Thereafter petitioner gave bid @ 360 % ASOR and the respondent gave bid @ 350% ASOR. Then petitioner reduced the bid @ 340 % ASOR and respondent @ 335 % ASOR. Lastly, the petitioner gave a bid @330 % ASOR and the respondent gave bid @ 315 % ASOR.

At this stage, petitioner stated that he does not want to give any further bid and the work may be allotted in favour of respondent No.4.

In view of the above, the work is awarded to respondent No.4 @ 315% ASOR.

Learned counsel for Food Corporation of India after receiving instructions from the officers of Food Corporation of India says that Food Corporation of India will save an amount of Rs. 3.00 Crore approximately after this rebidding process.

Gurbachan Singh, authorised representative of Truck Union Bagha Purana, District Faridkot undertakes that he will execute the work as per the bid given @ 315% ASOR and in case he does not execute the work, he may be black listed.

Let Food Corporation of India issue the work order in favour of respondent No.4 within two days.

Petition stands disposed of.

Copy of the order be given dasti under the signature of Bench Secretary.

(VIJENDER JAIN)
CHIEF JUSTICE

(RAJIVE BHALLA)
JUDGE

25.04.2007
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